

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION FOR AUTHORIZATION AND APPROVAL OF A PROJECT UNDER CHAPTER 121A MASSACHUSETTS GENERAL LAWS (TER. ED.) AS AMENDED, AND CHAPTER 652 OF THE ACTS OF 1960, AS AMENDED, AND FOR CONSENT TO THE FORMATION PURSUANT TO SAID CHAPTER 121A OF AN URBAN REDEVELOPMENT CORPORATION UNDER THE NAME MISSION PARK CORPORATION FOR THE PURPOSE OF UNDERTAKING AND CARRYING OUT THE PROJECT.

A. The Hearing. A public hearing was held at 8:00 P.M., on June 30, 1975, in the North Hall of the North Building at Boston State College, Boston, Massachusetts, by the Boston Redevelopment Authority (hereinafter called the "Authority") on an Application (hereinafter called the "Application") filed by President and Fellows of Harvard College, Citicorp Community Development, Inc., and Roger K. Evans, Esq. (hereinafter called the "Applicants") for authorization and approval of a redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), and for consent to the formation of a Chapter 121A corporation under the name Mission Park Corporation (hereinafter called the "121A Corporation") for the purpose of undertaking and carrying out the Project, due notice of said hearing having been given previously by publication on June 14, 1975 and June 23, 1975 in the Boston Herald American, a daily newspaper of general circulation

published in Boston, and mailing appropriate notices postage prepaid, in accordance with the provisions of Rule 8 of the Rules and Regulations of the Authority for securing the approval of Chapter 121A Projects (the "Regulations") and Section 13 of Chapter 652 of the Acts of 1960, as amended.

Robert L. Farrell, Chairman of the Authority, and Joseph J. Walsh, Paul J. Burns, and James K. Flaherty, members of the Authority, were present throughout the hearing.

B. The Project. The Project consists of the purchase by the 121A Corporation of the Project Area from Harvard, and the construction, operation and maintenance by the 121A Corporation of approximately 774 apartment units, approximately 35,000 square feet of office space, and a 1274 space parking garage on a parcel of land located in the Mission Hill section of Boston, bounded generally by the Riverway, Huntington Avenue, St. Albans Street, Fenwood Road, Vining Street, and an unnamed private way. The parcel on which the Project is to be located, as defined in the Application, is hereinafter referred to as the "Project Area". The Project is to be financed by the Massachusetts Housing Finance Agency.

The following concrete, brick and wood shingle structure and facilities are proposed to be constructed on the Project Area:

1. A twenty-seven story, 237 foot highrise structure containing 260 dwelling units, consisting of 156 one-bedroom units and 104 two-bedroom units. This building will occupy 8,699 square feet of the total Project Area. These units will be used primarily by small families and individuals. A large community room, laundry room and balcony will be located on the top floor, and a community plaza will be located directly in front of the highrise structure.

2. An eight story midrise building, to be known as the Brigham Circle Building will contain a total of 78 units designed specifically for elderly, with 55 one-bedroom units, 22 two-bedroom units and 1 three-bedroom unit. A lounge, rooftop garden and common laundry facilities will be provided in this structure. This structure will occupy 13,599 square feet of the Project Area.

3. A thirteen story structure, to be known as the Huntington Avenue Building will contain 129 dwelling units with 75 one-bedroom units, 47 two-bedroom units and 7 three-bedroom units. This building occupies 11,566 square feet and will contain a lounge, rooftop garden facilities and a common laundry area.

4. A thirteen story structure, to be known as the Mass. Mental Building or Newell House, will include 154 units with

105 one-bedroom units, 46 two-bedroom units and 3 three-bedroom units. This building will have a community lounge, and common laundry facilities. The building will also contain all of the Project's approximately 35,000 square feet of commercial and professional office space. The building will occupy 15,472 square feet.

5. Townhouse units, two to three stories or 28 to 38 feet in height, occupying 73,300 square feet of the Project Area. There will be 153 townhouse units with 8 two-bedroom units, 117 three-bedroom units and 28 four-bedroom units. The townhouses will have separate surface parking spaces, single entries with front and rear yards. Recreational areas will be located between the townhouses.

6. An underground parking garage for 1,274 automobiles, and surface parking spaces for the townhouse structures.

7. A three story community building to be located north of the highrise tower, toward the swimming and wading pools. The community building will contain function rooms and kitchen facilities.

8. Recreational facilities including swimming and wading pools, basketball courts, tennis courts, grassed open space, tot lots, and a community plaza.

9. Approximately 34,442 square feet of commercial and professional office space to be located in the Mass. Mental Building.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all documents,

plans and exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the exhibits offered in evidence at the hearing and the arguments and statements made at the hearing. The members of the Authority have also viewed the Project Area.

The Project as defined in the Application constitutes a "Project" within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the construction, operation and maintenance in a blighted, open, decadent or sub-standard area of decent, safe and sanitary residential, commercial, and institutional buildings and appurtenant facilities, as described above.

D. The Project Area. The Authority hereby finds that the Project Area is a "blighted open area" within the meaning of Section 1 of Chapter 121A. In particular, the Authority finds that it is an area that is unduly costly to develop soundly through the ordinary operations of private enterprise because of deterioration of site improvements and facilities in the Project Area, because of the substantial change in business and economic conditions and practices in the surrounding community and the abandonment and cessation of a previous use and because of a division of the Project Area by a right-of-way. A portion of the Project Area once used as a convent has been demolished and is now used as a parking lot. Other units in the Area have been abandoned and allowed to deteriorate.

Existing conditions also warrant a finding that the Project Area is a decadent and substandard area within the meaning of Section 1 of Chapter 121A. The Authority finds that many of the buildings are abandoned, out of repair, physically deteriorated and in need of major maintenance and repair.

The conditions which are causing the blight, and deterioration are not being remedied by the ordinary operations of private or public enterprise. These conditions warrant the carrying out of the Project in accordance with Chapter 121A of the General Laws, and the Application constitutes a "Project" within the meaning of that law. The purpose of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project. The demand for decent, safe, and sanitary housing for elderly persons and families at rent levels below those which the conventional operations of the real estate market produce is, as a matter of common knowledge, intense. Construction of the substantial number of units and facilities proposed for the Project Area will serve to alleviate this intense demand, and will in addition encourage the conservation and improvement of the area.

The Project will provide substantial financial return to the City of Boston. Exhibit B of the Application sets forth an example of the type of Agreement to be entered into between the City of Boston and the Applicant. This Agreement

provides in substance that there be paid to the City of Boston in lieu of real estate taxes in each of the forty (40) calendar years after approval of the Project, an amount over the excise payable under General Laws, Chapter 121A, Section 10. Exhibit B is attached only for illustrative purposes and the approval of this Report and Decision does not bind the City or the Applicants to the terms and conditions of Exhibit B.

E. Cost of the Project. In the opinion of the Authority the cost of the Project has been realistically estimated in the Application and the Project is practicable. The estimated cost of the Project is \$49,974,589.00. Except as otherwise specifically provided herein, the Authority hereby approves the arrangements, as described in Section 8 of the Application, for the financing of the cost of the Project, which arrangements may be summarized as follows:

1. The 121A Corporation is hereby authorized to issue 1,000 shares of voting common stock without par value, with 200 shares to be issued to the Applicant President and Fellows of Harvard College, and 800 shares to be issued to Applicant Citicorp Community Development, Inc. Payment for this stock by Harvard and Citicorp will constitute at least 10% of the estimated cost of the Project, and the Authority hereby approves the borrowing by the 121A Corporation of up to

90% of the presently estimated cost, of the Project. The Authority also hereby specifically approves, for the purposes of Section 9 of Chapter 121A, the amounts of consideration to be paid for such stock as described in the Application. The 121A Corporation is hereby authorized to commence construction prior to receipt by the Corporation of the full amount to be paid for the stock. If Citicorp Community Development, Inc., does not make its required contribution, Harvard will satisfy the Project's equity requirements. Citicorp Community Development, Inc. is hereby authorized to transfer its shares of the 121A Corporation capital stock prior to the completion of the Project on the terms specified in the Application, except, however, that the Authority shall receive notice of any such transfer, and except further than any transfer to an entity other than Harvard or an affiliate of Citicorp Community Development, Inc. shall require the approval of the Authority as to the reasonable credit standing of the transferee, which approval the Authority agrees will not be unreasonably withheld.

2. The Massachusetts Housing Finance Agency has issued a commitment for a construction mortgage

loan and a forty (40) year permanent mortgage loan in the amount of \$39,974,589.00.

3. Five hundred (500) of the 774 units will be subsidized with funds provided under Section 236 of the National Housing Act or Section 8 of the U.S. Public Housing Act of 1937 and 200 of these units will be further subsidized with either Section 236 rent supplement payments or further Section 8 payments for lower income persons.
4. Subsequent to completion of construction, Harvard will, as set forth in the Application, advance to the 121A Corporation such funds as may be necessary to meet the Corporation's operating expenses and minimum distribution. If Harvard does not satisfy its obligation, Citicorp Community Development, Inc., may withdraw as stockholder and require Harvard to acquire its shares.

The feasibility of the Project is based upon the financial commitment made by the Applicants, the need for housing, parking and office space in the vicinity, the below market interest rate on the mortgage loan made possible by the MHFA commitment to finance the Project and the availability of federal housing subsidy funds.

The Applicant has indicated by evidence presented at the Hearing that the feasibility of the Project is dependent upon the approval by the Authority of a Chapter 121A Application for a Medical Area Total Energy Plant, and construction thereof. The Applicant stated that the power plant would significantly reduce capital costs and operating expenses and favorably affect debt service. The Authority's determination of feasibility for this Project takes into consideration the financial significance of the energy plant, but does not condition this approval upon any subsequent action by the Authority with respect to the power plant. The need for cost savings made possible by construction of the power plant is recognized, but so too is the possibility that alternative, independent sources of power may be available to provide the same benefits, if the power plant is not approved.

The Authority's feasibility determination is based upon facts previously discussed exclusive of the power plant, and is supported by the fact that the Massachusetts Housing Finance Agency's commitment does not condition its determination of feasibility upon approval and construction of the proposed

power plant. When appropriate, the Authority will evaluate the Chapter 121A Application for the Medical Area Total Energy Plant and will at that time consider all issues involved in its construction, including its relation to the Project.

F. Consistency with Master Plan. The Project does not conflict with the Master Plan of the City of Boston. The Master Plan contemplates multi-family housing in the area in which the Project site is located, and the Project is, therefore, consistent with the Master Plan.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will in fact forward the best interests of the City and will constitute a public use and benefit. The residential and office structures to be erected on the Project Area are efficiently designed buildings, with ample light and air and appurtenant space, and will furnish attractive and necessary living accommodations.

The Project's physical design, consisting of a mixture of residential townhouses, midrise structures and a single highrise tower, and the placement of the various office and garage structures in relation to the buildings within the Project Area, has been developed so that the Project will relate in scale both to the medical institutions and the lowrise dwellings comprising the community in which the Project Area

is located. Economic as well as physical integration into the community will result from the availability of housing for the residents of the community, many of whom are employed by the medical institutions, and the availability of office space for professionals desiring to be close to such institutions. The Plans for the Project and its operation have been reviewed by the Massachusetts Housing Finance Agency and the Authority's Design Review Staff and will be subject to further design review of the Authority.

The carrying out of the Project will involve the destruction of existing structures occupied in whole or in part as dwellings. A Relocation Plan has been submitted to and approved by the Bureau of Relocation of the Department of Community Affairs pursuant to the provisions of Chapter 79A of the General Laws and the regulations of the Bureau thereunder. The Relocation Plan has also been reviewed and approved by the Authority's Relocation staff. The Authority hereby determines that the proposed method of temporary relocation is feasible and that the feasibility of relocating the persons into the new housing has been enhanced by special differential payments to those moderate (and some low) income persons who would generally be ineligible for public subsidy but would not be able to afford the rent without the special payments. Moreover, the Authority determines that there are being provided in the Project Area, at rents within the financial means of the families displaced from the Project Area, decent, safe

and sanitary dwellings at least equal in number to the number of, and available to, such displaced families and reasonably accessible to their places of employment.

The Project Area does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

The carrying out of the Project will require the grant of a permit for the erection, maintenance and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as a church. The Authority hereby determines that such garage and the parking facilities provided therein will not be substantially detrimental to any such school, hospital or church because such garage and the facilities will be operated so as to prevent the emission of objectionable noise, fumes and odor and will not interfere substantially with the flow or traffic on adjoining streets. The Authority understands the Applicants will seek MDC approval of the traffic pattern for the use of the garage in addition to the approvals of City of Boston agencies having responsibility therefor.

The Project does not involve the construction of units which constitute a single building under the Boston Building Code and Zoning Law.

H. Minimum Standards. The minimum standards for financing, construction, maintenance, and improvement of the Project as

set forth in Exhibit F filed with and attached to the Application are hereby adopted and imposed as rules and regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit F, the Authority hereby requires that the Applicants, prior to obtaining a building permit, (1) submit to the Authority for its review and approval such final Plans and Specifications for the Project as the Authority may require, and accept such changes and modifications thereto as the Authority may deem necessary or appropriate and as are not inconsistent with the plans and specifications incorporated as exhibits to the Application; and (2) adhere to such design review controls and requirements as the Authority may in its discretion impose.

I. Environmental Considerations. Conformably with the provisions of Sections 61 and 62 of Chapter 30 of the General Laws (as inserted by Chapter 781 of the Acts of 1972), and the Regulations thereunder as adopted by the Authority on April 11, 1974, the Authority has caused to be published an environmental impact report evaluating the Project, which report contains findings which the Authority hereby adopts, among which are:

1. The Project does not adversely affect any recreational areas or any aesthetic value in the surrounding area.

2. The Project will not affect natural or man-made features.
3. The Project does not adversely affect archeological or historic features.
4. The Project does not affect the potential use, extraction, or conservation of a scarce natural resource.
5. The Project Area serves no rare or endangered wildlife or fish species.
6. The site is urban and contains no significant fish, wildlife or plant life.
7. The Project will require deviations from the Zoning Code of the City of Boston as further detailed herein, but not in such manner as will cause damage to the environment.
8. The Project does require and did receive approvals of the Department of Housing and Urban Development and State Executive Office of Environmental Affairs.
9. The Project does not involve the construction of facilities in a flood plain.
10. The Project, except necessarily during the construction phase, does not result in the generation of a significant amount of noise or dust.

11. The Project does not result in a deleterious effect on the quality of any portion of the State's air or water resources.

12. The Project does not affect an area of important scenic value.

The Final Environmental Impact Report has been filed with and approved by the Secretary for Environmental Affairs. On the basis of the Environmental Impact Report the Authority hereby determines that all feasible measures have been taken to avoid or minimize damage to the environment as a result of the Project.

J. Deviations. Exhibit E filed with and attached to the Application lists the Zoning Code Deviations and Building Code Deviations required for Project construction. For the reasons set forth in the Application and supporting documents, including said Exhibit E, and in evidence presented at the hearing, and in this Report, the Authority hereby finds that each and every one of the permissions hereinafter granted is reasonably necessary for the carrying out of the total Project and may, subject to such conditions as are hereafter set forth with respect thereto respectively, be granted without substantially derogating from the intent and purposes of the applicable laws, codes, ordinances, and regulations, respectively; and the Authority is also satisfied by reliable and generally accepted tests, or by experience in other cities that the other designs, construction, materials, apparatus, equipment or methods specified in the Application and supporting documents, including Exhibit E, and in the

evidence presented at the hearing, will sufficiently satisfy the purposes for which it or they are to be used and the purposes of the applicable laws, codes, ordinances, or regulations, respectively.

In summary, permission is granted to deviate from the following provisions of the Zoning Code:

1. The following provisions of the Boston Zoning Code as they would otherwise apply to Lot One, as described in the Application.

<u>Zoning Code Article</u>	<u>Purpose of Article</u>
Article 8-7(72A)	Restricts the use of a lot for a tennis court.
Article 10-1	Prohibits the use of a required front yard for off-street parking.
Article 14-5(c)	Provides that buildings on the same lot will have yard dimensions determined as if the buildings were on separate lots. As applied to Lot One, and in conjunction with Article 20, this Article would establish rear yard dimensions of 30 feet for each building or a total of 60 feet between buildings.
Article 18-1	Forbids the erection of a fence over 5 feet high within a required front yard. In addition, in conjunction with Article 13-1, Table B, establishes a minimum front yard depth of 20 feet for row houses in an H-1 zone.

Zoning Code Article

Purpose of Article

Article 18-3

Establishes traffic visibility requirements such that no structure over two and a half feet in height may be erected with a triangular area described by the street boundaries and a line joining points on the street boundaries 30 feet from the point of intersection.

Article 20-1

Prohibits the erection of structures within portion of required rear yards

Article 20-4

Establishes a minimum rear yard depth of 30 feet, a dimension which is used in conjunction with Article 14-5(c).

2. The following provisions of the Boston Zoning Code as they would otherwise apply to Lot Two, as described in the Application.

Zoning Code Article

Purpose of Article

Article 8-7(39)

Conditions the use of the lot for non-accessory clinic or professional offices.

Article 10-1

Prohibits the use of a required front yard for off-street parking.

Article 14-2

Establishes a minimum lot area of 1,500 square feet for each additional row house dwelling unit, and 1,000 square feet for each additional dwelling unit, or a total of 227,500 square feet for Lot Two.

Article 14-5(c)

Provides that buildings on the same lot will have yard dimensions determined as if the buildings were on separate lots. As applied to Lot Two, and in conjunction with Article 20, this Article would establish rear yard dimensions of 30 feet for each building, or a total of 60 feet between buildings.

Zoning Code Article

Purpose of Article

Article 15-1

In conjunction with Article 13-1, Table B, establishes a maximum floor area ratio for an H-1 zone at 1.0.

Article 18-1

In conjunction with Article 13-1, Table B, establishes a minimum front yard depth of 20 feet for H-1 zone.

Article 18-3

Establishes traffic visibility requirements such that no structure over two and a half feet in height may be erected within a triangular area described by the street boundary and a line joining points on the street boundaries 30 feet from the point of intersection.

Article 18-4

Establishes front yard dimension requirements along every street that a lot abuts.

Article 20-1

Establishes minimum rear yard dimensions which are used in conjunction with Article 14-5(c) to determine the yard dimensions for each building on the lot.

Article 21-1

In conjunction with Article 13-1, Table B, establishes by formula $\frac{(H + L1)}{6}$ a minimum setback of parapet requirement.

Article 23-1

Requires that at least .9 parking spaces per dwelling unit be provided in an H-1 zone, or a total of 239 spaces in Lot Two. Depending upon how the below-grade parking spaces are divided among Lots 2, 4, and 5, there will be a shortage of spaces for some or all of those Lots.

3. The following provisions of the Boston Zoning Code as they would otherwise apply to Lot Three, as described in the Application.

Zoning Code Article

Purpose of Article

Article 10-1

Prohibits the use of a required front yard for off-street parking.

Article 18-1

In conjunction with Article 13-1 Table B, establishes a minimum front yard depth of 20 feet in an H-1 zone, and would forbid the erection of a fence in excess of five feet in height

Article 18-3

Establishes traffic visibility requirements such that no structure over two and a half feet in height may be erected within a triangular area described by the street boundaries and a line joining points on the street boundaries 30 feet from the point of intersection.

Article 18-4

Establishes front yard dimension requirements along every street that a lot abuts.

4. The following provisions of the Boston Zoning Code be waived as they would otherwise apply to Lot Four, as described in the Application.

Zoning Code Article

Purpose of Article

Article 10-1

Prohibits the use of a required front yard for off-street parking.

Article 14-2

Establishes a minimum lot area of 1,500 square feet for each additional row house dwelling unit and 1,000 square feet for each other dwelling unit, or a total of 260,500 square feet for Lot Four.

Zoning Code Article

Purpose of Article

Article 14-8(c)

Provides that building on the same lot will have yard dimensions determined as if the buildings were on separate lots. As applied to Parcel Five, and in conjunction with Article 20, this Article would establish rear yard dimensions of 30 feet for each building, or a total of 60 feet between buildings.

Article 15-1

In conjunction with Article 13-1 Table B, establishes a maximum floor area ratio for an H-1 zone of 1.0.

Article 18-1

In conjunction with Article 13-1, Table B, establishes a minimum front yard depth of 20 feet for an H-1 zone.

Article 18-3

Establishes traffic visibility requirements such that no structure over two and a half feet in height may be erected within a triangular area described by the street boundaries and a line joining points on the street boundaries 30 feet from the point of intersection.

Article 20-1

Establishes minimum rear yard dimensions which are used in conjunction with Article 14-5(c) to determine yard dimensions for each building on the lot.

Article 21-1

In conjunction with Article 13-1, Table B, establishes by formula $\frac{(H + L1)}{6}$ a minimum setback of parapet from lot line requirement.

Article 23-1

Requires that at least .9 parking spaces per dwelling unit. Depending upon how the below-grade spaces are divided among Parcels 3, 5 and 6, there will be a shortage of spaces for some or all of those three parcels.

5. The following provisions of the Boston Zoning Code be waived as they would otherwise apply to Lot Five, as described in the Application.

Zoning Code Articles

Purpose of Article

Article 8-7(17)

Makes the use of the lot for a day care center a conditional use.

Article 10-1

Prohibits the use of a required front yard for off-street parking.

Article 14-2

Establishes a minimum lot area of 1,500 square feet for each additional row house dwelling unit and 1,000 square feet for each other dwelling unit, or a total area of 388,500 square feet for Lot Five.

Article 14-5(c)

Provides that buildings on the same lot will have yard dimensions determined as if the buildings were on separate lots. As applied to Parcel Six, and in conjunction with Articles 19 and 20, this Article would establish side yard dimensions of 10 feet and rear yard dimensions of 30 feet for each building.

Article 15-1

In conjunction with Article 13-1, Table B, establishes maximum floor area ratio of 1.0 for an H-1 zone.

Article 17-1

Establishes a minimum usable open space requirement of 400 square feet per dwelling unit.

Article 18-1

In conjunction with Article 13-1, Table B, establishes a minimum front yard depth of 20 feet for an H-1 zone.

Article 19-1

Establishes minimum dimensions for side yards, which dimensions are used in Article 14-5(c) computations.

Article 20-1

Establishes minimum dimensions for rear yards, which dimensions are used in Article 14-5(c) computations.

Zoning Code Article

Purpose of Article

Article 21-1

In conjunction with Article 13-1, Table B, establishes by formula $(H + L1)$ a minimum setback of

6.

parapet requirement.

Article 23-1

Requires at least .9 parking spaces per dwelling unit. Depending upon how the below-grade spaces are divided among Parcels 3, 5, and 6, there will be a shortage of spaces for some or all of those three parcels.

6. In addition to the specific requests for waivers for each of the individual lots, permission is granted to deviate from the following provisions of the Zoning Code and of other zoning, building, health or fire laws, codes, ordinances or regulations in effect in the City of Boston which are more appropriately made in relation to the Project Site as a whole.

a. Underground Parking

Article 8-7(59). That article allows parking garages in an H-1 residential zone (such as the Project Site) "provided that the parking garage is operated exclusively for the parking of motor vehicles (other than trucks) or persons living in the neighborhood". Applicants propose to build a large, three-level underground parking lot which will extend beneath approximately forty per cent of the Project Site. Such parking garage will include spaces for the exclusive use of tenants of the Project. The

remaining spaces will be leased to Medical Area Service Corporation and will provide commercial parking for users of neighborhood hospital facilities.

b. Park Frontages.

Sections 10 and 11 of Chapter 19 of the 1961 Revised Ordinances of the City of Boston: Section 10 would prohibit the construction of the underground garage within one hundred feet of the Riverway, and would restrict the height of buildings or structures within said one hundred feet to seventy feet. Section 11 would prohibit the construction of any building or structure within one hundred feet of the Riverway without permission in writing having been first obtained from the Parks and Recreation Commission.

In granting permission to deviate from the above provisions of the Zoning Code, the Authority's determination relates only to those provisions cited above. The Authority is not granting general relief from the requirements of the Boston Zoning Code.

In accordance with the Applicants' statements at the hearing the Applicants' request for permission to deviate from the provisions of Article II of the Zoning Code governing the use of signs has been withdrawn.

Building Code

For reasons stated at the beginning of this Section of the Report and Decision permission is granted to deviate from the following provisions of the State Building Code:

<u>SECTION</u>	<u>TITLE</u>	<u>REASON FOR REQUESTING VARIANCE</u>
1. 609.11	Exitways in Residential Use Groups	Permission to have exitways in common corridors
2. 609.12	Exitways in Type 1-A and 1-B, L-2 Use Groups	Permission to have single exitway from groups of more than four rooms and to have sleeping facilities for people beyond enclosed stairs
3. 909.0	Fire Partitions	Permission in sprinklered buildings to construct fire partitions of non-rated sheet-rock for construction element 6 as shown on tables 2-5 of the Code
4. 1132.2	Refuse Chute Enclosures	Permission to use non-masonry walls and to supply chutes at each floor where interior of chutes are sprinklered
5. 1206.53	Standpipe Construction Hose Connections	Permission to delete 1 1/2 inch hose connections
6. 1206.6	Hose	Permission to delete all hose supply requirements request of fire department
7. 2100.15	Gutters	Permission to construct buildings without gutter where roof overhangs are less than specified width
8. 508.51 508.6 509.1 509.2	Ventilation	Permission to use 100% recirculating air through approved absorption device for kitchen and bathroom ventilation
9. 607.4	Types and Location of Exitways; Floors below Grade	Permission to have exitway more than 75 feet below in low-hazard garage area

<u>SECTION</u>	<u>TITLE</u>	<u>REASON FOR REQUESTING VARIANCE</u>
10. 1207.4	Fire Pump Standpipe Supply	Permission to have a 750 gallon per minute pump serve two six inch standpipes so long as there is a 750 gal per minute back up pump
11. 100.4 413.0 1212.1	SPECIALIZED CODES: Fire Prevention Regulation 4 <u>re</u> keeping of gasoline in garages	Garage will be equipped with sprinklers in accordance with five Department requirements
12. G.L. c. 148 §26B	Automatic Fire Warning Systems	Permission to use sprinkler system in midrise building and smoke detector system in townhouse bedroom hallways (Note: this requirement appears in Section 1218.21 of the State Building Code although the Code provides an exception in the case of the Brigham mid-rise building which is sprinklered)

The Authority hereby finds that the Application and such aspects of the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws (Ter. Ed.), as amended, Chapter 652 of the Acts of 1960, as amended, and the Regulations applicable thereto within its jurisdiction; and the Authority, for the foregoing reasons and for the reasons set forth in the Application and supporting documents, and based upon the evidence presented at the hearing, in this Report, and in the materials referred to in this Report, hereby approves the Application, the formation of the Mission Park Corporation and the undertaking of the Project, all as requested in the Application, except as stated herein, and except further that these approvals are expressly made conditional upon the commencement of construction of the Project

within three months after the approval of the Mayor of the City of Boston in accordance with Section 13 of Chapter 652 of the Acts of 1960, as amended. If construction is not commenced within said three-month period, an extension of the time therefor must be obtained from the Authority.

Construction shall be deemed to have commenced for the purposes of this paragraph when a continuous course of substantial site preparatory work has been undertaken. Commencement of construction in compliance with the requirements of this paragraph shall not relieve the 121A Corporation from its responsibility to complete construction in accordance with the timetable set forth in paragraph 6 of the Application.

MEMORANDUM

JULY 10, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: MISSION PARK CORPORATION
APPROVAL OF 121A REPORT AND DECISION WITH STATEMENT
OF NO SIGNIFICANT ENVIRONMENTAL IMPACT.

On June 30, 1975, a public hearing was held at Boston State College for Approval of a Project by Mission Park Corporation pursuant to Chapter 121A of the General Laws of Massachusetts.

The Applicant is a Corporation to be formed under Chapter 121A and sought consent to construct a Project which consists of approximately 774 units in one high-rise structure, three mid-size structures, and townhouse structures. The Project will provide low and moderate income housing and will be financed by a Massachusetts Housing Finance Agency 90% mortgage commitment and equity from Applicants Harvard and Citicorp. The Project will include 500 units of subsidized housing under Section 236 of the National Housing Act. With respect to the Applicants' request for permission to deviate from provisions of the State Building Code, the Boston Building Department has reviewed and does not object to the deviations to be granted.

With respect to the cost of the land within the Project Area, as stated in the Application, Harvard will receive \$2,550,000 plus certain contingent sums determined in accordance with a formula. The formula would provide a mechanism for establishing reserves to meet future Project costs. The land cost formula is directly related to Citicorp's contribution to the Project, which will be made at the completion of construction and will be based upon specific, identifiable costs. Because some cost may not be precisely identifiable at completion, excess costs will be treated as a contingent land payment at that time. If such circumstances occur, the funds will be held by Harvard as a reserve to meet Project costs not incurred on the date the Citicorp's contribution is determined.

The Authority has also made inquiry into the Environmental Impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws. The proposal of the Mission Park Corporation has thus been examined both as to its Environmental Impact and as to its 121A criteria and is found fully acceptable.

It is therefore appropriate at this time that the Authority adopt the Report and Decision for the Mission Park Corporation and approve the Project as having no significant environmental impact. An appropriate Vote follows:

VOTED: That the Document presented at this meeting entitled "Report and Decision On The Application For Authorization And Approval of a Project Under Chapter 121A Massachusetts General Laws (Ter.Ed.) As Amended, and Chapter 652 of the Acts of 1960, As Amended, and For Consent to the Formation Pursuant to Said Chapter 121A of an Urban Redevelopment Corporation Under The Name Mission Park Corporation for the Purpose of Undertaking and Carrying Out the Project" which includes a determination by the Authority that said Project has no significant Environmental Impact, be and hereby is approved and adopted.